

REMARKS

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejection present in the outstanding Office Action in light of the following remarks.

Claims 1-9 were pending in the instant application at the time of the outstanding Office Action. Of the claims pending in the instant application at the time of the outstanding Office Action, Claims 1, 5, and 9 are independent claims; the remaining claims are dependent claims.

Applicants previously submitted an Amendment on August 9, 2007. The Office then sent a communication, dated October 31, 2007, indicating that although the response appeared to be a *bona fide* response, Applicants failed to rebut the Examiner's rejection of claims 1, 5 and 9 under 35 USC 112, 1st paragraph, as failing to comply with the written description requirement. Applicants do not agree the Amendment submitted in August 2007, failed to rebut the Section 112, first paragraph, rejection.

In order to expedite prosecution, however, Applicants file this Supplemental Amendment to more specifically address and rebut the Examiners rejections of claims 1, 5 and 9 under 35 USC 112, first paragraph. Applicants intend this Supplemental Amendment to be read in conjunction with the previously submitted Amendment (dated August 9, 2007) which is incorporated by reference as if fully set forth herein, as this

Supplemental Amendment is limited to addressing the specific concerns of the Office
Communication mailed on October 31, 2007.

As noted in the prior Amendment, Applicants are not conceding in this application the claims amended herein are not patentable over the art cited by the Examiner, as the claim amendments are only for facilitating expeditious prosecution. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicants specifically state no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Rejections Under 35 USC 112, first paragraph

Claims 1, 5, and 9 stand rejected under 35 USC 112, first paragraph, as failing to comply with the written description of the invention requirement. The Examiner asserts that the recited limitation “formulating a query to identify objects having properties of interest” is not sufficiently described in the disclosure so as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention. Applicants respectfully request reconsideration and withdrawal of these rejections.

As stated in the previous amendment “Applicants respectfully submit that the claims fully comply with the requirements of 35 U.S.C. § 112. The Examiner is respectfully reminded that there are numerous examples of how to practice the invention given in the Appendix of the Specification.” To elaborate even further on this, Applicants respectfully submit that the instant specification makes clear that in the prior

art (e.g., the references cited by the Examiner), the query is specified explicitly whereas in the instant invention, the query is discovered (i.e., formulated) in that given the data, the invention discovers objects that can be grouped together and having a single boolean expression description. Not just any arbitrary set of objects can be grouped together with a boolean expression description, thus the description problem is more well-defined. As stated in the response provided on December 6, 2006 (which was incorporated by reference in the Amendment of August 9, 2007):

Broadly speaking, the present invention relates to the classification of objects. **This classification is achieved using the best boolean expression that represents the most optimal combination of the underlying features. This boolean expression is optimized through the minimization of the error of the expression which defines the query.** Specifically, the instant invention determines a query function that establishes the properties an item returned should possess. These properties are exemplified by the expressions in the query. The items which best define the query are determined. The error to be minimized in determining the best definition of the query is the false positives and false negatives of the query. These two steps represent a type of the classification of the instant invention. It is then decided whether the item belongs in the query based upon the selected properties. This decision is considered as cross-validation of the classification.

Amendment of December 6, 2006, pages 7-8 (emphasis added). The specification clearly discloses the process by which the query is formulated at pp. 5, lines 8-10; pp. 6, lines 2-16; Figure 2; pp. 7, line 12-pp. 9, line 11. Moreover, the specification gives specific examples of how the invention actually works (see pp. 12, line 14-pp. 13, line 20; see also Appendix). Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of claims 1, 5 and 9 under 35 USC 112, first paragraph, as the specification clearly discloses to one of ordinary skill in the relevant art that the inventors had possession of the invention as claimed.

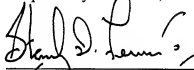
Request for Telephone Interview

Applicants respectfully request that if, after taking up and considering this Supplemental Amendment in conjunction with the previously submitted Amendment, the Examiner concludes that there are issues remaining such that this application is not in condition for allowance, the Examiner kindly contact the undersigned at the telephone number listed below. Applicants respectfully submit that this is a particularly appropriate request in light of the extensive prosecution history of this application, and that an interview in which the inventors, their representatives, and the Examiner can discuss the workings of the instant invention would greatly facilitate prosecution.

Conclusion

In summary, it is respectfully submitted that the instant application, including claims 1-9, is presently in condition for allowance. Notice to the effect is earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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